



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Carl M. Panasik

Serial No.: 09/887,778

Filed: 06/22/2001

For: **CELLULAR HANDSET TRANSCEIVER SYSTEM FOR MINIMAL POWER
CONSUMPTION**

Docket No.: **TI-32891**

Examiner: **Perez, Angelica**

Art Unit: 2684

Confirm. No.: 8711

DECLARATION OF ALLEN B. KROGER

I, Allen B. Kroger, do hereby declare:

1. I am currently an employee of Texas Instruments Incorporated and have been an employee of Texas Instruments Incorporated at all times from the date of the Office communication mailed on October 20, 2004 to the present date.
2. My official title is Docketing Services Coordinator, which means I am tasked with the duty of logging into Texas Instruments' legal database, all incoming communications to Texas Instruments from the USPTO.
3. I received the subject Office communication in incoming mail on March 23, 2005.
4. I have reviewed the legal database of Texas Instruments and find no indication that the subject Office communication was received prior to March 23, 2005, or that any other Office communication on this application was received by Texas Instruments between the mailing date of October 20, 2004 and March 22, 2005.
5. Being that there is no indication in the legal database that an Office communication mailed on October 20, 2004 was ever received by Texas Instruments, I can conclude only that Texas Instruments never received a copy of said Office communication prior to March 23, 2005, since if Texas Instruments had, I would have entered the information into the Texas Instruments legal database.
6. Being that I did not see a copy of said Office communication, I must presume that the Office communication mailed on October 20, 2004 was never delivered to Texas Instruments Incorporated until March 23, 2005.
7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Allen B. Kroger

3/24/05

Date

EXHIBIT A